

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TODD QUAVION CARTER,

Plaintiff,

v.

DR. VICKERY, *et al.*,

Defendants.

ORDER

Case No. 15-cv-539-jdp

Plaintiff Todd Quavion Carter has submitted a resident account statement for the six month period preceding his complaint. Accordingly, the court must determine whether plaintiff qualifies for indigent status and, if so, calculate an initial partial payment of the \$350.00 fee for filing this case.

This court uses one method—the formula set forth in 28 U.S.C. § 1915(b)(1)—for determining the indigent status of all institutionalized persons, even those like plaintiff who are not subject to the 1996 Prison Litigation Reform Act. Using information for the relevant time period from plaintiff's resident account statement, I calculate plaintiff's initial partial filing fee to be \$3.04. For this case to proceed, plaintiff must submit this amount on or before October 7, 2015.

ORDER

IT IS ORDERED that,

1. Plaintiff Todd Quavion Carter is assessed \$3.04 as an initial partial payment of the \$350.00 fee for filing this case. Plaintiff is to submit a check or money order made payable to the clerk of court in the amount of \$3.04 or advise the court in writing why plaintiff is not able to submit the assessed amount on or before October 7, 2015.

2. If, by October 7, 2015, plaintiff fails to make the initial partial payment or show cause for failure to do so, plaintiff will be held to have withdrawn this action voluntarily and the case will be closed without prejudice to plaintiff's filing this case at a later date.

3. No further action will be taken in this case until the clerk's office receives plaintiff's initial partial filing fee as directed above and the court has screened the complaint pursuant to 28 U.S.C. § 1915A. Once the screening process is complete, a separate order will issue.

Entered this 16th day of September, 2015.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge